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ADVISORY COUNCIL ON THE ENVIRONMENT

(By Circulation)

(ACE 33/94)
For Advice

Noise Control (Amendment) Regulations

Introduction

This paper seeks members' endorsement of the Noise Control (Amendment) Regulations for the implementation of increased maximum fines as attached at Annex 1.

Background

2. The Environmental Pollution Advisory Committee, after considering EPCOM paper 8/93-94 at Annex 2, endorsed the proposal to amend the Noise Control Ordinance. The Noise Control (Amendment) Bill 1993 was introduced into the Legislative Council on 12.5.93, and subsequently a Bill's Committee was formed to study the Bill.

3. One of the concerns expressed by the Committee when considering the Bill was that the current level of fines under the Ordinance have not provided adequate deterring effect against the various noise offences. Therefore, the administration, after reviewing the situation, proposed that the maximum fines as detailed in the amendment ordinance at Annex 3 should be adopted.

4. The Bill was passed on 12.1.94, and in order to bring the revised fines into operation, it would be necessary to also amend the fines stipulated in the two prescribed notices under the Noise Control (General) Regulations.

5. The Noise Control Ordinance, in its Section 27(1), requires that regulation be made after consultation with the Council. Hence, the amendment regulations at Annex 1 is submitted for Member's consideration.

Consultation

6. The amendment of the Noise Control Ordinance for the increased of maximum fines had already been enacted. The matter being procedural, further consultation is not considered necessary.

Staff and Economic Implication

7. Nil.

Public Reaction

8. The general public should welcome the increase in maximum fines.

Implementation

9. The amendment regulation will be published in the Gazette on 29.7.94 and shall come into operation on 1.8.94.

Advice Sought

10. Members are requested to endorse the proposed amendment to the Noise Control (General) Regulations on increasing of maximum fines.

Planning, Environment and Lands Branch
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